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8 Attorneys for Defendant, COUNTY OF SAN BERNARDINO,
ROBERT VACCARI, and JAKE ADAMS

9 **UNITED STATES DISTRICT COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA**

11
12 L.C., a minor by and through her
13 guardian *ad litem* Maria Cadena,
individually and as successor-in-interest
14 to Hector Puga; I.H., a minor by and
through his guardian *ad litem* Jasmine
15 Hernandez, individually and as
successor-in-interest to Hector Puga;
16 A.L., a minor by and through her
guardian *ad litem* Lydia Lopez,
17 individually and as successor-in-interest
to Hector Puga; and ANTONIA
18 SALAS UBALDO, individually,

19 Plaintiffs,

20 vs.

21 STATE OF CALIFORNIA; COUNTY
22 OF SAN BERNARDINO; S.S.C., a
nominal defendant; ISIAH KEE;
23 MICHAEL BLACKWOOD;
BERNARDO RUBALCAVA;
24 ROBERT VACCARI; JAKE ADAMS;
25 and DOES 6-10, inclusive,

26 Defendants.

CASE NO. 5:22-cv-00949-KK-(SHKx)

*Assigned for All Purposes to:
Hon. Kenly K. Kato – Courtroom 3*

**STIPULATION TO DISMISS
PLAINTIFFS' FIRST AND THIRD
CLAIMS FOR 42 U.S.C. § 1983
DETENTION AND ARREST AND
DENIAL OF MEDICAL CARE
CLAIMS AGAINST COUNTY
DEPUTIES AND STATE OFFICERS
AND SUBSTANTIVE DUE
PROCESS AGAINST VACCARI**

Trial Date: June 2, 2025

*Complaint filed: 06/07/2022
FAC filed: 10/18/22
SAC filed: 01/13/23
TAC filed: 05/12/23*

1 WHEREAS, Plaintiffs L.C., a minor by and through her guardian *ad litem*
2 Maria Cadena, individually and as successor-in-interest to Hector Puga; I.H., a minor
3 by and through his guardian *ad litem* Jasmine Hernandez, individually and as
4 successor-in-interest to Hector Puga; A.L., a minor by and through her guardian *ad*
5 *litem* Lydia Lopez, individually and as successor-in-interest to Hector Puga; and
6 ANTONIA SALAS UBALDO, individually (“Plaintiffs”), initiated the above-
7 captioned case against Defendants the STATE OF CALIFORNIA, ISAAH KEE,
8 MICHAEL BLACKWOOD and BERNARDO RUBALCAVA (“State Defendants”)
9 and COUNTY OF SAN BERNARDINO, ROBERT VACCARI, and JAKE ADAMS
10 (“County Defendants”) on or about June 7, 2022 (Dkt. 1).

11 WHEREAS, Plaintiffs filed their Third Amended Complaint, the operative
12 complaint on May 12, 2023 (Dkt. 68).

13 WHEREAS, County Defendants sent a meet and confer letter to Plaintiffs on
14 February 13, 2025. Counsel for Plaintiffs, the State Defendants, and the County
15 Defendants engaged in a telephonic meet and confer conference on February 17,
16 2025. On February 17, 2025, Plaintiffs agreed to dismiss Plaintiffs’ First Claim under
17 the Fourth Amendment for Detention and Arrest pursuant to 42 U.S.C. § 1983 and
18 Third Claim under the Fourth Amendment for Denial of Medical Care pursuant to 42
19 U.S.C. § 1983 against all individual defendants, specifically Isaiah Kee, Michael
20 Blackwood, Bernardo Rubalcava, Robert Vaccari, and Jake Adams. Further,
21 Plaintiffs agreed to strike any allegations related to medical care of Decedent,
22 specifically ¶ 48, ¶ 107(d) and the allegation medical care was denied in ¶¶ 117, 118,
23 and 119. Following email correspondence on February 17 and February 18, Plaintiffs
24 also agreed to dismiss Plaintiffs’ Fourth Claim for Substantive Due Process (42
25 U.S.C. § 1983) against Sergeant Robert Vaccari.

26 The parties hereto, by and through their respective counsel, hereby stipulate
27

1 and agree as follows:

2 1. Plaintiffs' First Claim for Fourth Amendment – Detention and Arrest (42
3 U.S.C. § 1983) is dismissed against Isaiah Kee, Michael Blackwood, Bernardo
4 Rubalcava, Robert Vaccari, and Jake Adams with prejudice.

5 2. Plaintiffs' Third Claim for Fourth Amendment – Denial of Medical Care (42
6 U.S.C. § 1983) is dismissed against Isaiah Kee, Michael Blackwood, Bernardo
7 Rubalcava, Robert Vaccari, and Jake Adams.

8 3. Plaintiffs' Fourth Claim for Fourteenth Amendment – Substantive Due Process
9 (42 U.S.C. § 1983) is dismissed against Sergeant Robert Vaccari.

10 4. The allegations related to medical care of Decedent, specifically ¶ 48 and ¶
11 107(d) are struck entirely, and the allegation medical care was denied in ¶¶ 117, 118,
12 and 119 are struck.

13 5. Each party shall bear their own costs and fees as to these claims.

14
15 DATED: February 18, 2025

LAW OFFICES OF DALE K. GALIPO

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17
18 By: /s/ Hang D. Le
19 **DALE K. GALIPO**
HANG D. LE
Attorneys for Plaintiffs

20 DATED: February 18, 2025

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22
23 By: /s/ Anita K. Clarke
24 **SHANNON L. GUSTAFSON**
25 **AMY R. MARGOLIES**
26 **ANITA K. CLARKE**
Attorneys for Defendant,
COUNTY OF SAN BERNARDINO
ROBERT VACCARI, and JAKE ADAMS

1
2
3 DATED: February 18, 2025

ROB BONTA
Attorney General of California
CHRISTINE E. GARSKE
Supervising Deputy Attorney General

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7 By: /s/ Diana Esquivel
8 **DIANA ESQUIVEL**
9 Deputy Attorney General
Attorneys for Defendant State of Cal., by
and through the CHP, Blackwood, Kee,
and Rubalcava

10
11
12 Pursuant to Local Rule 5-4.3.4, I attest that all other signatories listed, and on
13 whose behalf the filing is submitted, concur in the filing's content, and have
14 authorized the filing.
15

16 DATED: February 18, 2025

LYNBERG & WATKINS
A Professional Corporation

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18
19 By: /s/ Anita K. Clarke
20 Shannon L. Gustafson
21 Amy R. Margolies
22 Anita K. Clarke
Attorneys for Defendants, COUNTY OF
SAN BERNARDINO, ROBERT
VACCARI and JAKE ADAMS